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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**CEDRIC BRADY, DR. CHARLES
HOVDEN, MARION HOVDEN,
DR. EUGENE KREPS, DR. JOHN
McNAMARA, DR. HISAJI SAKAI, and
JEAN SAKAI, Individually and On Behalf
Of All Others Similarly Situated,**

Plaintiffs,

v.

**CONSECO LIFE INSURANCE COMPANY,

Defendant.**

) **Case No.: 3:08-CV-05746-SI**
)
)
)
) **STIPULATION AND PROPOSED**
) **ORDER TO EXTEND TIME FOR**
) **PLAINTIFFS TO RESPOND TO**
) **DEFENDANT'S MOTION TO**
) **COMPEL**

On November 25, 2009, Defendant Conseco Life Insurance Company (“Conseco”) filed a motion to compel. Plaintiffs Cedric Brady, Charles Hovden, Marion Hovden, Eugene Kreps, John McNamara, Hisahi Sakai and Jean Sakai (“Plaintiffs”) have requested an extension of time to respond to the motion, and Conseco has agreed to extend the time for Plaintiffs’ response from December 3, 2009, until December 10, 2009.

IT THEREFORE IS STIPULATED AND AGREED, by and between the undersigned, that Plaintiffs will respond to Conseco’s Motion to Compel no later than December 10, 2009.

Dated: December 2, 2009

Millstein & Associates

By: /s/ David J. Millstein
David J. Millstein
Attorneys for Plaintiffs

Dated: December 2, 2009

Gilbert LLP

By: /s/ August J. Matteis Jr.
August J. Matteis Jr.
Attorneys for Plaintiffs

Dated: December 2, 2009

Skadden, Arps, Slate, Meagher & Flom LLP

By: /s/ David S. Clancy
David S. Clancy
Attorneys for Defendants

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, August J. Matteis Jr., am the ECF User whose ID and password are being used to file this Stipulation Extending Time to Respond to the Motion to Compel. In compliance with General Order 45.X.B, I hereby attest that the concurrence in the filing of this document has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of December 2009, at Washington, D.C.

By: /s/ August J. Matteis Jr.

August J. Matteis Jr.

PURSUANT TO STIPULATION IT IS SO ORDERED,

Dated:

By: 

Hon. Susan Illston